

## JOURNAL OF THE HOUSE.

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Monday, March 15, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mrs. Walrath of Stow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, we ask and pray for Your guidance and direction in personal and legislative matters at the beginning of a new work week. This week, we celebrate a local historical event, Evacuation Day, and an international feast day, St. Patrick's Day. As citizens, we are grateful for the human and material suffering and hardships of the men and women who made this nation a reality. St. Patrick is a man for all seasons, for all people and for all times. His Tara Hill Prayer is still relevant.

*Prayer.*

May the knowledge of God guide you,  
the wisdom of God teach you,  
the eyes of God watch over you,  
the ear of God hear you,  
the hand of God protect you and  
the way of God lie before you.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mrs. Walrath), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

*Pledge of  
allegiance.*

### *Statement of Representative Keenan of Southwick.*

A statement of Ms. Keenan of Southwick was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that during the sitting of Thursday, March 11, I was inexplicably recorded as having voted no on roll call number 547. It was my intention to be recorded in the affirmative.

*Statement of  
Representative  
Keenan of South-  
wick.*

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representatives Donelan of Orange, Gobi of Spencer and Kulik of Worthington) congratulating the Quabbin Anglers Association;

*Quabbin  
Anglers  
Association.*

Resolutions (filed by Representatives Finegold of Andover, Golden of Boston, Blumer of Framingham and Rushing of Boston) relative to extending greetings and congratulations to the Iranian-American community on the occasion of Nowruz; and

*Iranian-  
American  
community.*

Richard G. Halstead. Resolutions (filed by Mrs. Paulsen of Belmont) congratulating Richard G. Halstead on receiving the Eagle Award of the Boy Scouts of America;

Mrs. Harkins of Needham, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Rodrigues of Westport, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:  
By Mrs. Canavan of Brockton, petition (subject to Joint Rule 12) of Christine E. Canavan and Kathleen M. Teahan for legislation to regulate contributions by the city and the towns for operation of the Southeastern Regional School District.

By Ms. Gifford of Wareham, petition (subject to Joint Rule 12) of Susan Williams Gifford and Jeffrey Davis Perry relative to the taxation of income of residents of the Commonwealth serving in the armed forces of the United States.

By Mr. Kujawski of Webster (by request), petition (subject to Joint Rule 12) of Stuart J. Estes, Jr. relative to the removal of snow and ice from sidewalks in the cities and towns of the Commonwealth.

By Mr. Kelly of Dalton, petition (subject to Joint Rule 12) of Stephen Kulik and Stanley C. Rosenberg for legislation to designate a certain bridge on Route 116 in the town of Deerfield as the Sergeant Gregory A. Belanger Memorial Bridge.

By Mr. LeDuc of Marlborough, petition (subject to Joint Rule 12) of Stephen P. LeDuc and Pamela P. Resor relative to the transfer of a certain parcel of land located in the city of Marlborough and under control of the Department of Conservation and Recreation to the Division of Capital Asset Management and Maintenance.

By Mrs. Parente of Milford, petition (subject to Joint Rule 12) of Marie J. Parente that mortgagors be required to offer mortgagees “rate-lock” commitments upon submission of mortgage applications.

By Ms. Polito of Shrewsbury, petition (subject to Joint Rule 12) of Karyn E. Polito that the Teachers’ Retirement Board be authorized to grant certain creditable service to Bernadine Strom for retirement purposes.

By Mr. Quinn of Dartmouth, petition (subject to Joint Rule 12) of John F. Quinn (by vote of the town) (with the approval of the county commissioners) that the Bristol County Retirement Board be directed to increase the retirement allowance payable to Joseph E. Correia, a police officer retired with a disability from the town of Dartmouth.

By Miss Reinstein of Revere, petition (subject to Joint Rule 12) of Kathi-Anne Reinstein for legislation to require pharmacists to inform purchasers of drugs of the availability of over-the-counter interchangeable drug products.

By the same member, petition (subject to Joint Rule 12) of Kathi-Anne Reinstein, Jarrett T. Barrios and Robert A. DeLeo relative to the offering of discounts to subscribers by licensees of cable antenna television systems.

By Mr. Timilty of Milton, petition (subject to Joint Rule 12) of Walter F. Timilty relative to the granting of eligibility to Michael Balestra for appointment to certain police departments in the Commonwealth.

By Mr. Tobin of Quincy, petition (subject to Joint Rule 12) of A. Stephen Tobin, James E. Vallee and Reed V. Hillman relative to the DNA database within the Department of State Police.

By the same member (by request), petition (subject to Joint Rule 12) of Joan Best for legislation to include dental hygienists in the definition of “professional service” under the law regulating the establishment of professional corporations.

By Mr. Straus of Mattapoisett, petition (subject to Joint Rule 12) of William M. Straus, Marc R. Pacheco and others (by vote of the town) that the town of Marion be authorized to develop and maintain a subsidized housing plan for low and moderate income housing.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A report of the committee on Health Care, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 513) of Cynthia S. Creem, Richard T. Moore, Cheryl A. Jacques, Julia Stern and Charles E. Shannon for legislation to require food service establishments to train staff in food allergies, and recommending that the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, inasmuch as relates to the discharge of the committee.

A report of the committee on Health Care, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 647) of Michael W. Morrissey, Bruce J. Ayers and A. Stephen Tobin for legislation relative to the exposure of public safety officials to the AIDS virus and infectious hepatitis, and recommending that the same be referred to the committee on Public Safety,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2260) of Michael W. Morrissey, Bruce J. Ayers, Ronald Mariano and A. Stephen Tobin (with the approval of the mayor and city council) for legislation relative to filling vacancies in the city council of the city of Quincy; and

Petition (accompanied by bill, Senate, No. 2261) of Stanley C. Rosenberg and Ellen Story (by vote of the town) for legislation relative to certain conservation land in the town of Amherst;

Severally to the committee on Local Affairs and Regional Government.

Antenna television systems.

Police, eligible lists.

DNA database.

Professional corporations.

Marion, housing.

Restaurants, food allergies.

AIDS and hepatitis, exposure.

Quincy, city council.

Amherst, land.

Quincy, taxes.  
  
Petition (accompanied by bill, Senate, No. 2259) of Michael W. Morrissey, Bruce J. Ayers, Ronald Mariano and A. Stephen Tobin (with the approval of the mayor and city council) for legislation to authorize the city of Quincy to establish interest rates payable on deferred property taxes and water charges. To the committee on Taxation.

Political party, extension.  
  
A petition of Brian A. Joyce, Robert L. Hedlund, Bruce E. Tarr, Richard T. Moore and other members of the General Court for legislation to extend the time for political party committees to organize in the current year, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Election Laws.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2264) was referred, in concurrence, to the committee on Election Laws.

Reports of Committees.

Wareham Industrial Development Corporation.  
  
By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill abolishing the Wareham Economic and Industrial Development Corporation and the Wareham Community Development Authority (House, No. 4566) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. O'Brien of Kingston, the bill was read a second time forthwith; and it was ordered to a third reading.

Environmental laws  
  
By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, on Senate, Nos. 1213, 1216, 1219, 1223 and 1232 and House, Nos. 201, 971, 1154, 1329, 1330, 2848 and 3004, an Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain Senate and House documents concerning environmental laws (House, No. 4572).

Correctional facilities.  
  
By Mr. Toomey of Cambridge, for the committee on Public Safety, on Senate, No. 1297 and House, Nos. 1166, 1180, 1341, 2492, 2854 and 3024, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents concerning correctional facilities (House, No. 4573).

Fire safety, study.  
  
By the same member, for the same committee, on House, Nos. 218, 404, 807, 974, 1559, 1727, 1728, 1731, 1740, 1741, 2487, 2498, 3028, 3203 and 3577, an Order relative to authorizing the committee on Public Safety to make an investigation and study of certain House documents concerning fire safety (House, No. 4574).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Municipal public works, permits.  
  
By Mr. Scaccia of Boston, for the committee on Rules, that the Resolve creating a special commission to study streamlining the

municipal public works environmental permitting process (House, No. 1540, changed) ought to pass. Referred, under Rule 33, to the committee on Ways and Means.

By Mr. Koutoujian of Waltham, for the committee on Health Care, on Senate, No. 545 and House, No. 1483, a Bill relative to health care providers and first responders education (House, No. 1483).  
Health care providers.

By the same member, for the same committee, on Senate, No. 1675 and House, No. 1865, a Bill relative to the review of state workforce initiatives (House, No. 1865, changed in line 6 by striking out the year "2003" and inserting in place thereof the year "2005").  
Workforce initiatives.

By the same member, for the same committee, on Senate, No. 504 and House, No. 2596, a Bill allowing emergency personnel to carry epinephrine (House, No. 2596).  
Emergency personnel, epinephrine.

By the same member, for the same committee, on a petition, a Bill relative to the collaboration of nurse-midwives and physicians (House, No. 2963, changed in section 2, in line 3, by striking out the following: "127-138" and inserting in place thereof the following: "126-137").  
Midwives and physicians, collaboration.

By the same member, for the same committee, on House, No. 2601, a Bill to encourage and maintain family councils in nursing homes (House, No. 4577).  
Nursing homes, councils.

By the same member, for the same committee, on Senate, Nos. 566, 610 and 658 and House, Nos. 903, 1087, 1093, 1662 and 3329, a Bill relative to HIV and Hepatitis C prevention (House, No. 4578).  
HIV/ Hepatitis C.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Joanne M. Sollecito, an employee of the Department of Correction (see House, No. 4440, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.  
Joanne M. Sollecito, sick leave bank.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 8 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill authorizing the modification of the form of property tax billing in the town of Belmont (see House, No. 3981) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.  
Bill enacted.

Orders of the Day.

Senate bills  
Designating state highway route 146 in the town of Uxbridge as the Lydia Taft Highway (Senate, No. 1890); and  
Third reading bills.

Relative to a betterment assessment in the town of Sturbridge (Senate, No. 2030);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

Third  
reading  
bills.

House bills

Authorizing the town of Harvard to convey certain park land (House, No. 3999);

Exempting members of the police force of the town of Hopedale from the civil service law (House, No. 4309); and

Relative to the safe placement of newborns and infants (House, No. 4325, amended);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

*Order.*

On motion of Mr. Finneran of Boston,—

Next  
sitting.

*Ordered,* That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

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At seventeen minutes after eleven o'clock A.M., on motion of Ms. Rogeness of Longmeadow (Mrs. Walrath of Stow being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.